

HOUSE No. 3446

The Commonwealth of Massachusetts

PRESENTED BY:

David B. Sullivan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act further regulating hazardous and toxic material

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David B. Sullivan	6th Bristol
Christine E. Canavan	10th Plymouth
Steven J. D'Amico	4th Bristol
Denise Provost	27th Middlesex
Jennifer M. Callahan	18th Worcester
Cory Atkins	14th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4362 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT FURTHER REGULATING HAZARDOUS AND TOXIC MATERIAL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 2 of Chapter 111F of the General Laws, as appearing in the 2006 Official Edition,
2 is hereby amended by inserting in line 18, after the word “chapter” the following words:-

3 “and section twenty two, which relates to inspections for hazardous substances when a business closes”.

4 SECTION 2: Chapter 111F of the General Laws, as appearing in the 2006 Official Edition, is hereby
5 amended by inserting after section 21 the following section :-

6 Section 22. Any employer who is closing his business shall, at least 60 days prior to such closing, notify
7 the DEP. DEP shall schedule an inspection of the business prior to closure to inventory existing toxic or
8 hazardous substances. DEP shall require said employer to create a closure plan with a schedule to have
9 the employer remove toxic or hazardous substances in compliance with state and federal regulations prior
10 to the business vacating the premises.

11 DEP shall monitor the company to ensure total compliance and completion of said plan and shall impose
12 appropriate penalties for non-compliance with said plan, up to and including criminal prosecution, if
13 applicable.

14 DEP shall have the authority to seize remaining assets to pay for the proper removal of toxic or hazardous
15 substances due to non-compliance by the employer.